
BZA-1885
THURMAN R. SANDERS
Special Exception

STAFF REPORT
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REQUEST MADE, PROPOSED USE, LOCATION:

Petitioner is requesting a special exception to legitimize an existing breeding kennel (SIC 0752) in the AA zone. The kennel would operate 7 days per week, 7 a.m. until 10 p.m. The property is located at 10112 S 700 E, Lauramie 17 (NE) 21-3. (UZO 3-2)

STAFF COMMENTS:

The following are the development standards for a kennel per UZO 4-11-3:

In any rural zone where the boarding of animals is permitted, the following conditions and requirements shall be met:

1. The minimum lot size is 2 acres if all animals are kept in a soundproofed building from 8:00 pm. Until 8:00 a.m. or otherwise 5 acres;
2. Any building shall be temperature controlled and mechanically ventilated for the safety and comfort of the animals;
3. The minimum setback from all lot lines for exterior areas and non-soundproofed buildings in which animals are kept is 200;'
4. The minimum setback from all lot lines for soundproofed buildings where are kept is 75' and
5. Exterior areas used in the boarding of animals shall be provided with fencing capable of confining the animals kept there.

Petitioner owns nearly 20 acres surrounding his subject property, though in different tracts, creating lot lines. As such, all setback requirements cannot be met as per the submitted site plan. A simple Exemption E transfer deed would remove those property lines and petitioner could easily meet setbacks. Additionally, petitioner's buildings are not mechanically ventilated and temperature controlled.

Petitioner must either meet these requirements by benefit of a variance or amending the site plan. As neither of those solutions has been proposed, staff is recommending continuance.